

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAMON DENSON,

Plaintiff,

vs.

CIVIL NO.: 13-CV-14338-DT

COMMISSIONER OF
SOCIAL SECURITY,

HON. ROBERT H. CLELAND

Defendant.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The case was referred to United States Magistrate Judge Patricia T. Morris pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued her report on August 15, 2014 recommending that this court grant Plaintiff's Motion for Summary Judgment, deny Defendant's Motion for Summary Judgment and the case be remanded for an award of benefits. No objections have been filed pursuant to 28 U.S.C. §636(b)(1)(C); thus further appeal rights are waived.¹

Having reviewed the file and the report, the court determines that the findings and conclusions of the magistrate judge are correct and **ADOPTS** the same for purposes of this order. Therefore,

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. See *Thomas v. Arn*, 474 U.S. 140,149 (1985).

ORDER

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Plaintiff's Motion for Summary Judgment is **GRANTED**, the Defendant's Motion for Summary Judgment is **DENIED** and the case is **REMANDED** for an award of benefits.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 28, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 28, 2014, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522